


This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: October 17, 2014




Guy R. Humphrey
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In re: Lee G Esprit III
Jane L Esprit

Debtor(s)

Case No.: 09-30065

Chapter: 13

Judge: Guy R. Humphrey

**ORDER DENYING MOTION FOR PAYMENT OF UNCLAIMED FUNDS (DOC. NO. 133)
DUE TO NONCOMPLIANCE WITH CODE AND/OR RULES**

The above-referenced Motion for Payment of Unclaimed Funds (hereinafter, the "Motion") does not comply with the United States Bankruptcy Code and/or the Federal/Local Rules of Bankruptcy Procedure as noted below:

☒ The certificate of service does not contain or refer to the mandatory notice in the form set forth in LBR 9013-1(a). (LBR 9013-3(e)(4) requires the certificate of service to contain or refer to an accompanying notice in the form set forth in LBR 9013-1(a).)

☒ The certificate of service does not identify, both by name and address, each entity served, or the creditor matrix referenced in the certificate of service is not attached. (LBR 9013-3(e)(3) requires a certificate of service to identify, by name and address, each entity served and if service is made through the Court's ECF system, the address shall be denoted as "served electronically through the Court's ECF system at the email address registered with the Court.")

☒ The electronic service date on the certificate of service does not correspond with the filing date of the document. (See LBR 9013-3(e)(2).)

☒ The Motion is not accompanied by the mandatory notice of the right to object or respond, and the time within which to do so. (LBR 9013-1(a) and 9013-3(e)(4) provide that a motion or application shall be accompanied by a mandatory notice that complies with Official Form 20A or the Sample 21 Day Notice found in LBR 9013-1(a).)

☒ The mandatory notice is blank

The Motion is therefore **DENIED** without prejudice.

IT IS SO ORDERED.

NOTE: A form Motion for Payment of Unclaimed Funds that complies with our Local Bankruptcy Rules has been prepared by the Southern District of Ohio. While the use of this form motion is not required, parties requesting the release of unclaimed funds are strongly encouraged to use the form to ensure Local Rule compliance. The form is available on the Court's website at: http://www.ohsb.uscourts.gov/pdffiles/UNCLAIMED_FUNDS_FORM.pdf.

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